

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE: GENESIS HEALTH VENTURES
INC. et al.,

Reorganized Debtors.

) Chapter 11

) Bankruptcy Case No. 06-2692 P
(Jointly Administrated)

US BANKRUPTCY COURT
DISTRICT OF DELAWARE

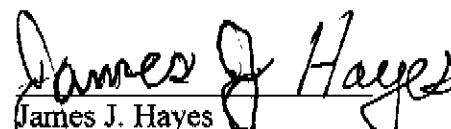
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FILED

NOTICE OF APPEAL

Notice is hereby given that James J. Hayes, a member of the equity class in this bankruptcy, appeals to the United States District Court for the District of Delaware the Order dated May 12, 2006 of the United States Bankruptcy Court for the District of Delaware denying the Hayes motion to stay the Bankruptcy Court's Order dated March 2, 2005 ordering payment of attorney fees and costs to the Reorganized Debtors' Counsel and the Senior Lenders' Counsel.

Dated: May 23, 2006


James J. Hayes
4024 Estabrook Dr.
Annandale, VA 22003
(703) 941-4694

TRANSMITTAL SHEET FOR APPEAL SUBMITTED TO U.S. DISTRICT COURT

Case Number: **00-2692**

Deputy Clerk Transferring Case: Lisa M. Cicone (302) 252-2900 ext. 5115

Case Type: Appeal - **AP-06-40**

Order and Date Entered

Order (I) Denying, With Prejudice, Mr. Hayes' "Motion For Stay Of Order Granting Reorganized Debtors' Cross Motion For Sanctions For The Pendency Of The Appeal" And (II) Denying, Without Prejudice The "Reorganized Debtors' Cross-Motion For Entry Of An Order (A) Imposing Further Monetary Sanctions Against Mr. Hayes, (B) Barring Mr. Hayes From Filing Any Additional Pleadings In This Case And (C) Relieving The Reorganized Debtors Of Their Obligation To Respond To Any Additional Pleadings Filed By Mr. Hayes.

Debtor: Genesis Health Ventures
Counsel: **Russell C. Silberglied**
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Telephone: **(302) 651-7700**

Appellant: James J. Hayes
Counsel: **Pro Se**
Telephone: **(703) 941-4694**

Appellee: Genesis Health Ventures
Counsel: **Russell C. Silberglied**
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Telephone: **(302) 651-7700**

Appellee: Mellon Bank, N.A.
Counsel: **Teresa K. D. Currier**
Klett Rooney Lieber & Schorling
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Telephone: **(302) 552-4200**

*****Appellant and Appellees did not file designations with U.S.B.C.**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

	X	
In re:	:	Chapter 11
	:	
GENESIS HEALTH VENTURES, INC.,	:	Case No. 00-2692 (PJW)
	:	
	:	
Reorganized Debtor.	:	Re: Docket Nos. 2337 and 2339

**ORDER (I) DENYING, WITH PREJUDICE, MR. HAYES' "MOTION FOR STAY
OF ORDER GRANTING REORGANIZED DEBTORS' CROSS MOTION FOR
SANCTIONS FOR THE PENDENCY OF THE APPEAL" AND (II) DENYING,
WITHOUT PREJUDICE THE "REORGANIZED DEBTORS' CROSS-MOTION
FOR THE ENTRY OF AN ORDER (A) IMPOSING FURTHER MONETARY
SANCTIONS AGAINST MR. HAYES, (B) BARRING MR. HAYES FROM FILING
ANY ADDITIONAL PLEADINGS IN THIS CASE AND (C) RELIEVING
THE REORGANIZED DEBTORS OF THEIR OBLIGATION TO RESPOND
TO ANY ADDITIONAL PLEADINGS FILED BY MR. HAYES"**

Upon consideration of (1) the *Motion for a Stay of Order Granting Reorganized Debtors' Cross Motion for Sanctions for the Pendency of the Appeal*, filed by James J. Hayes on March 20, 2006 (the "Stay Motion"); and (2) the *Reorganized Debtors' Cross-Motion for the Entry of an Order (a) Imposing Further Monetary Sanctions Against Mr. Hayes, (b) Barring Mr. Hayes from Filing Additional Pleadings in This Case and (c) Relieving the Reorganized Debtors of Their Obligation to Respond to Any Additional Pleadings Filed by Mr. Hayes* (the "Cross Motion"); the Court having reviewed the Stay Motion and the Cross-Motion and all pleadings relating thereto; and the Court having heard the statements of the parties in support of, or in response to, the Stay Motion and the Cross-Motion at a hearing before the Court on May 10, 2006 (the "Hearing");

IT IS HEREBY ORDERED THAT:

1. The Stay Motion is denied, with prejudice, for the reasons stated on the record at the Hearing.

2. The Cross-Motion is denied, without prejudice, for the reasons stated on the record at the Hearing.

3. This Court shall retain jurisdiction over any and all matters arising from or related to the interpretation and/or implementation of this Order.

Dated: May 12, 2006
Wilmington, Delaware



THE HONORABLE PETER J. WALSH
UNITED STATES BANKRUPTCY JUDGE